

## **CH-O, College Hill Neighborhood Overlay District (DRAFT)**

9/18/02

### **A. General Parameters**

#### **1. Purpose:**

The CH-O College Hill Neighborhood Overlay district is intended to recognize the special location, architectural character and proposed land-use mix of the College Hill Neighborhood within the City of Wichita by establishing appropriate standards for uses within the underlying zoning districts. The design review provisions applicable within the CH-O are intended to preserve the area's special historic and architectural character and to protect the private property values and public investments in and near the College Hill Neighborhood, by ensuring that the exterior alterations to buildings and grounds are undertaken with sensitivity to the area's special character. The CH-O district is an overlay district; property within the district shall comply with the **College Hill Neighborhood Design Guidelines** and the standards of the underlying district. In the case of conflict between the regulations in this section and those of the underlying zoning district, the regulations in this section shall prevail.

#### **2. Geographical Boundaries of the College Hill Neighborhood Overlay District**

**See attached Map**

### **B. Use Regulations:**

The use regulations of the underlying zoning district shall control within the CH-O district, provided however, that all uses allowed as permitted and conditional uses within the residential zoning districts shall also be allowed as permitted and conditional uses, respectively, in the CH-O district; except, when noted within the prohibited area of this section.

#### **1. Prohibited Uses.**

The following uses are explicitly prohibited in the CH-O district, regardless, if said uses are stated as permitted or conditional uses in the underlying districts:

- 1). Wireless Communication Facilities (except for antennas attached to existing building)
- 2). Temporary Asphalt or Concrete Plants
- 3). Rock Crushing
- 4). Mining and Quarrying
- 5). Solid Waste Incinerators
- 6). RV Campgrounds
- 7). Riding Academy or Stable
- 8). Warehouse, Self-service storage
- 9). Welding or Machine Shop
- 10). Vehicle Storage Yard
- 11). Correctional Placement Residence
- 12). Car Wash
- 13). Convenience Store
- 14). Outdoor Storage
- 15). Commercial Parking area other than parking lots
- 16). Pawnshop
- 17). Tavern / Drinking Establishment
- 18). Outdoor Vehicle & Equipment Sales
- 19). Recycling Processing Center
- 20). Tattooing & Body Piercing Facility
- 21). Manufacturing
- 22). Warehousing
- 23). Gas and Fuel Storage and Sales

- 24). Group Residence, General
- 25). Oil or Gas Drilling
- 26). Vehicle Repair, General
- 27). Restaurant, Drive-thru
- 28). Medical Services within a “B – Multifamily” District
- 29). Hotel/Motel Uses within a “G-O – General Office” District

2. **Conditional Uses**

The following uses shall be allowed only as a conditional use in the CH-O district, regardless if said uses are stated as permitted uses in the underlying districts:

- 1). Construction Sales and Service
- 2). Service Station
- 3). Ancillary Parking for institutional uses
- 4). Utility, Major
- 5). Night Club
- 6). Recreation and Entertainment, Indoor
- 7). Vehicle Repair (not including paint/body shops)
- 8). Private and public recycling collection stations

The following uses shall be allowed as a conditional use in the CH-O district only if they are on Douglas, Central, Hillside, and Oliver, regardless if said uses are stated as permitted uses in the underlying districts:

- 1). Group Home, General
- 2). Hotel/Motel Uses (except within “LC” Limited Commercial Districts)
- 3). Medical Services
- 4). Convalescent Home, Limited
- 5). Group Residence, Limited

3. **Accessory Uses**

The following accessory uses shall be prohibited in the CH-O district regardless if said uses allowed in the underlying districts:

- 1) Portable Storage Containers

C. **Setbacks and Height Restrictions**

Setbacks along Hillside shall be  $\pm 5$  feet of the average setback of adjacent properties. There shall be zero lot lines along Douglas and within the Neighborhood Commercial Nodes. Height restrictions shall be limited to the base zoning with the exception of “B-Multifamily” which shall follow height limitations of “SF-5”

D. **Design review standards and procedures**

1. **Review procedures**

1.) **Applicability.**

Except as provided in Sec. \*\*\*\*\* and \*\*\*\*\*, no permits for alterations to building exteriors, fences, signs, sidewalks, or driveways shall be issued by the Office of Central Inspection for any structure or site located wholly or partially within the CH-O district until an application for such permit has been reviewed for compliance with the College Hill Neighborhood Design Guidelines and approved by the design review committee (as defined in Sec. \*\*\*\*\*).

No permit for demolition shall be issued without an accompanying redevelopment plan until such permit has been reviewed for compliance with the College Hill Neighborhood Design Guidelines and approved by the design review committee (as defined in Sec. \*\*\*\*\*).

- 2.) **Application.**  
An application for a permit with the CH-O district shall be submitted in a form required by the Planning Director. A complete application shall include, as necessary, to-scale drawings, elevations, sections, relevant plans of site and/or immediate environs if appropriate, and shall indicate materials and colors to be used, in order to conduct an adequate review of the application.
- 3.) **Design Review Committee**  
A committee consisting of the Director of Planning, Zoning Administrator, and Historic Preservation Officer, shall be charged with reviewing all proposed projects in the College Hill Neighborhood that require compliance with the Overlay Zoning District criteria, including the College Hill Neighborhood Design Guidelines.
- 4.) **Action.**  
After reviewing the completed application, the Design Review Committee shall approve, approve with conditions or modifications, or deny the request, in accordance with the design standards of this section. Any property owner in the CH-O may appeal the decision of the committee to the board of Zoning Appeals.
- 5.) **Time limit on action.**  
If within 20 days from the date of receipt of a complete application by the Planning Director, no action has been taken on the application, the Office of Central Inspection may issue the necessary permits and the project may proceed. This time limit may be waived by mutual consent of the applicant and staff. It shall not apply if review by the Historic Preservation Board is required.

**2. Design Standards.**

Alterations to structures, including additions and remodeling, as well as any new construction within the College Hill Neighborhood shall comply with the criteria established in the College Hill Neighborhood Design Guidelines, and all subsequent amendments to said design guidelines, as established by the governing body of the City of Wichita, hereby incorporated as Attachment 1.

**E. Exceptions and modifications.**

- 1) Alterations that are not visible from public streets or alleys shall be exempt from the CH-O district design standards and review procedures according to the Planning Director.
- 2) Routine maintenance and repairs shall be exempt from the CH-O district design standards and review procedures.
- 3) Repainting of surfaces with colors and textures that duplicate the existing colors and textures shall be exempt from the CH-O district design standards and review procedures
- 4) Guidelines regarding signage in Section\*\*\*\* do not apply to the replacement of existing signs of existing businesses lost as a result of damage caused by acts of nature (fire, hail, lightning, wind, etc.) or vandalism.
- 5) The design standards in this section shall be modified or waived by the Director of Planning, with the concurrence of the Superintendent of Central Inspection, to allow for alternatives which are required in order to maintain the continued functional viability of existing uses, or in extraordinary situations of development characteristics, economic hardship, or other circumstances, provided that the purposes and intent of these Standards are maintained through such interpretation.

**F. Emergency repairs.**

The Superintendent of Central Inspection may waive the standards and review procedures of this section in instances in which emergency repairs are required, provided that subsequent repairs of a non-emergency nature comply with these Standards.

**G. Conflicts with other Code provisions.**

No section of this Code shall be construed to compel alterations that will conflict with any health or safety codes, or prohibits any alterations that are required to bring buildings into compliance with the Building Code.